## NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

## TO: ALL PARTIES IN INTEREST

Debtor.

PLEASE TAKE NOTICE that New South Federal Savings Bank, F.S.B. hereby appears by its counsel, Troutman Sanders LLP, in the above captioned chapter 11 case, pursuant to 11 U.S.C. § 1109(b) and Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and requests copies of all notices and pleadings pursuant to Bankruptcy Rules 2002(a), (b) and (f), 3017(a) and 9007 including, without limitation, any and all notices of any orders, applications, complaints, demands, hearings, motions, petitions, pleadings, requests, proposed disclosure statements and plans of reorganization and any other documents brought before the Court in this case.

All such notices should be addressed as follows:

TROUTMAN SANDERS LLP The Chrysler Building 405 Lexington Avenue New York, New York 10174 Telephone: (212) 704-6000 Facsimile: (212) 704-6288

Attn.: Hollace T. Cohen, Esq. Paul H. Deutch, Esq.

Email: <a href="mailto:hollace.cohen@troutmansanders.com">hollace.cohen@troutmansanders.com</a>
<a href="mailto:paul.deutch@troutmansanders.com">paul.deutch@troutmansanders.com</a>

PLEASE TAKE FURTHER NOTICE, that the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules specified above but also includes, without limitation, notices of any application, complaint, demand, hearing, motion, order, petition, pleading or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, hand delivery, telephone, facsimile, telegraph, telex or telecopier or otherwise, filed with regard to the above-captioned case and proceeding therein.

PLEASE TAKE FURTHER NOTICE that neither this notice nor any subsequent appearance, pleading, claim or suit is intended to waive and shall not constitute a waiver of (i) New South Federal Savings Bank, F.S.B.'s right to have final orders in non-core matters entered only after de novo review by a District Court; (ii) New South Federal Savings Bank, F.S.B.'s right to a jury trial in any proceedings so triable herein, or in any case, controversy, or proceeding related hereto; (iii) New South Federal Savings Bank, F.S.B.'s right to request to have the reference withdrawn by the District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which New South Federal Savings Bank, F.S.B. is or may be entitled to under arguments, documents or instruments, in law or equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: New York, New York November 4, 2008 TROUTMAN SANDERS LLP

By: /s/ Hollace T. Cohen

Hollace T. Cohen, Esq. Paul H. Deutch, Esq. The Chrysler Building 405 Lexington Avenue

New York, New York 10174 Telephone: (212) 704-6000 Facsimile: (212) 704-6288

Attorneys for New South Federal

Savings Bank, F.S.B.